

TRURO HOUSING AUTHORITY RECOMMENDATIONS FOR MUNICIPAL AFFORDABLE HOUSING TRUST



PREPARED BY

Truro Housing Authority

ADOPTED

May 29th, 2025

Background:

At the 2022 ATM, Town Meeting voted to adopt MGL c.44 Sec.55C that allows the town to establish a Municipal Affordable Housing Trust Fund (MAHT). Voters approved adopting all the powers for a MAHT as specified in the statute. The article included the entire language of the statute and listed all the powers. The motion that passed was to accept the statute “as printed below.” Voters approved adopting all the powers for a MAHT as specified in the statute.

In April of 2024, the Select Board authorized the Housing Authority to do a study of MAHTs and make recommendations for establishment of a Truro Municipal Affordable Housing Trust. Those recommendations are below.

Process:

The Truro Housing Authority (THA) hired a consultant to do a study of all the Outer Cape Towns’ Affordable Housing Trusts. The consultant, Michele Jarusiewicz, submitted that report in February 2025. The report is available on the Truro Housing Authority website.

The THA also invited Shelly Goehring, Mass. Housing Partnership (MHP) to outline how MAHTs operated and best practices and to attend a question-and-answer session with THA members and the public. Shelly is MHP’s expert on Municipal Affordable Housing Trusts, she has published several Guides to Creating Municipal Affordable Housing Trusts and has served as an advisor for a number of Massachusetts communities on the issue. On September 19, 2024, Shelly gave a presentation about Municipal Housing Trusts and took questions from the audience.

On January 29th, THA held a listening session for the public to talk about their suggestions related to the structure of a MAHT in Truro.

A public forum was held on April 2nd on the committee's draft recommendations. We have included information in these recommendations in response to concerns raised at the forum.

RECOMMENDATIONS

Membership:

Number of members: 5 voting members, town manager or designee (non-voting), and 2 alternates.

Alternates may participate in debate, they may vote when a member is absent, and they cannot automatically become a member when there is an opening.

Members' Terms: MGL c. 44 Sec.55 states that members " shall serve for a term not to exceed 2 years." Some members can be appointed for a one-year term and some for a 2-year term. This would ensure that there was some continuity on the Trust.

Trust Composition:

The MAHT statute requires all members of the MAHT must be appointed by the Select Board.

Recommended trust composition:

- Town Manager or designee as a non-voting member
- A Select Board member (as mandated by the statute)
- A Housing Authority member as recommended by THA and appointed by Select Board
- All appointees (except for town manager or designee must be full-time residents except the Select Board may appoint one part-time resident)

The Select Board should consider the appointment of people with certain skills, education and employment such as a developer (people who develop affordable housing, in particular), someone with a financial services background, a realtor or an attorney with expertise with land use or real estate law, etc.

The Select Board should consider the appointment of at least one member to the Trust who either rents or owns affordable housing in Truro or has experienced housing insecurity.

All members should have a demonstrated commitment to the development and advocacy for affordable housing.

Powers:

We concur with the vote at Town Meeting that accepted the powers outlined in the statute.

The power of Town Meeting remains the same with MAHT as it relates to funding and other financial matters such as borrowing. MAHT, like the current Affordable Housing Fund, can acquire property, can make improvements to town owned property, fund programs such as rental assistance, maintenance assistance, etc. with funds that are in the MAHT.

Similarly, the current Affordable Housing Fund has received its funding from CPC funds (AMI-restricted), and these non-AMI restricted funds-Free Cash, Donations, Interest, and Affordable Housing Stabilization Funds. All of these funds, except for donations and interest, require a vote by Town Meeting to be transferred to the current Affordable Housing Fund.

The transfer of these funds to the MAHT would continue to require a vote by Town Meeting.

There are also state laws and by-laws that govern the borrowing of money (We amended this section by removing the words, “purchase of property”) by the Town which includes a requirement for a Town Meeting vote.

The Select Board must be consulted if any gift, grant, purchase, or other action would significantly impact the Town’s budget or Town employees’ workload.

Establishment of the Trust + Funding:

Complete a Declaration of Trust.

Transfer all AMI Restricted Funds in the existing Affordable Housing Account into the MAHT and all new AMI Restricted Funds related to housing should go to MAHT including the funding for programs such as rental assistance, down payment assistance, maintenance and monitoring of affordable housing, preservation of deed-restricted housing, etc.

The existing Affordable Housing Account should continue to function and to receive and distribute funding for non-AMI restricted projects, until the establishment of a Truro Seasonal Communities Trust Fund or another Trust Fund is established to fund non-AMI restricted projects.

We recommend that there be adequate staff support to help with the work of the MAHT.

Training and continuing education should be made available to the Municipal Affordable Housing Trust and taken advantage of by its members.

We encourage the Select Board, working with the MAHT, consultants and/or experts, to review all the powers to make sure they align with Truro Bylaws, Town Charter, Select

Board Policies and the Town's administrative and financial policies, practices and procedures.

We recommend as part of the establishment process to come up with a mission and vision statement as well as policies and procedures for the MAHT. It will be important for the Select Board and the MAHT to balance the need for the MAHT to fulfill its purpose which includes having the capacity to be nimble, fast acting and to not be overly restrained by unnecessary limitations with genuine concerns regarding financial controls and practices.

Transparency:

The Trust will comply with all reporting requirements. Semi-annual report of activities, funds received, funds expended shall be available to the Select Board and the public on the Town website and in print at town hall.

The MAHT shall create a complete accounting of the use of CPC funds and to assure that CPC has the information they need to complete on a timely basis the mandated reporting to the State of Massachusetts.

All discussions, documents, etc. shall be public except those that are related to the negotiations around acquisition of property, etc.

All meetings of the MAHT shall be hybrid to maximize participation and transparency.

All policies related to the operation of the MAHT shall be public and be available on the MAHT's Truro website.